

NEWS

Fran Pavley
Assemblymember, 41st District

A MONTHLY ELECTRONIC NEWSLETTER TO THE 41st ASSEMBLY DISTRICT
(Including Agoura Hills, Calabasas, Encino, Malibu, Hidden Hills, Lake Sherwood, Oak Park, Pacific Palisades, Port Hueneme, South Oxnard, Santa Monica, Tarzana, Topanga, Westlake Village, and Woodland Hills.)

OCTOBER 2004 ISSUE

Population of Santa Monica Mountains Increases By Four



At roughly six weeks of age, one of the litter of four.

Four Healthy Mountain Lion Kittens Are Born

In late August, four mountain lion kittens (two males and two females) were born to mountain lions known to National Park Service researchers as P1 and P2. Two weeks later, the Park Service wildlife monitoring team found the litter through the mother's transmitter. Once the mother left the den, researchers were able to weigh, measure and implant transmitters in the kittens, allowing the team to monitor their progress. They are born at a time when encroaching development, loss of open space, and habitat fragmentation threatens their long-term survival.

The exciting news about these births is the most recent data collected under the nationwide Natural Resources Challenge that began in 1995. The carnivore tracking program began with a generous grant from the California Department of Parks and Recreation and the National Park Foundation, and has garnered several partnerships since then. The ongoing work has included two main components: radio telemetry to directly monitor carnivore distribution and movement, and remote camera surveys to monitor wildlife corridor use and to estimate carnivore population status.

The results are already being used to evaluate carnivore habitat needs, potential corridor use, population dynamics, and land protection, management, and restoration actions necessary to ensure long-term carnivore survival in the Santa Monica Mountains. The project is widely regarded as one of the most comprehensive and scientifically important studies of carnivores in an urban-wildland area and will be featured in an upcoming National Geographic special.

The National Park Service, through links to universities, has made extensive use of undergraduate volunteers, interns, and graduate students, who further contribute to the educational benefits of the project. Now, assessing the progress of the mountain lion kittens has deepened the enthusiasm of the field researchers. Males are extremely territorial, and offspring have only a 50 percent chance of surviving a year in their habitat because, in this case, P1 (their father) will see the male kittens as rivals as they grow to adult size. In a few months, researchers anticipate tracking the kittens as they find new territory, perhaps crossing the 101 or 118 freeways to mark new habitat.

I'm thrilled to welcome them to the 41st Assembly District.

23 Pavley Bills Signed Into Law In 2003/04 Session

I was very pleased to have so many of my bills signed into law again this session. Here's a summary of the 2004 legislative year. You can access the full text of any of these on the Assembly website at www.assembly.ca.gov. Just click on the Legislation link.

AB 1009 – Foreign truck air emissions. Requires all commercial trucks over 10,000 pounds operating in California, including trucks from Mexico, to meet federal air emissions standards. Introduced in response to a Supreme Court decision that allows Mexican trucks to operate in the United States even though many do not currently meet U.S. air emissions standards.

AB 1369 – Ban on Mercury Thermostats. Prohibits the sale and distribution of mercury-containing residential and commercial thermostats by January 2006. Will gradually eliminate a significant source of mercury that threatens to escape into the environment any time a home or commercial establishment catches fire or is demolished, or a thermostat is removed from those buildings and deposited in a landfill.

AB 1801 – Guide Dogs. Increases penalties for any person who attacks, or allows their dog to attack, a guide, signal or service dog, and expands the restitution the court can award. Received bi-partisan support in the legislature.

AB 1886 – Property Tax Postponement. Allows senior citizens and disabled persons to postpone their payment of property taxes, special assessments, and other fees and charges due on their residences. Household income cannot exceed specified levels.

AB 2554 – Teacher Retirement. Amends current law to eliminate the earnings limit (\$22,000) for certain retired members of the State Teachers' Retirement System who return to service for hard-to-fill positions. This bill should encourage highly-qualified teachers to return to the classroom.

AB 2628 – Hybrids in HOV lanes. Allows drivers of 75,000 hybrid vehicles that get 45 miles per gallon and achieve a clean air standard to drive in High Occupancy Vehicle (carpool) lanes without any passengers. (This bill cannot be implemented until the Federal government passes legislation to lift the Federal ban against allowing states to permit single-occupant hybrid vehicles to use carpool lanes.)



AB 2784 – Transportation. Sponsored by the Ventura County Transportation Commission, it expands the Commission so that all of the members of the Ventura County Board of Supervisors and all cities in Ventura County have representation with appointed seats on the Commission.

AB 2901 – Cell phone recycling. Requires, effective July 1, 2006, that cell phone retailers take back obsolete cell phones at no cost to the consumer, and provide for recycling, reuse, or proper disposal of the phones. Most cell phones have an average life span of only 18 months causing millions to end up in landfills every year where their hazardous contents can leak out and contaminate soil and groundwater.

AB 2943 – Mercury in vaccines. Prohibits the injection of any pregnant woman, or child under three, with a vaccine that contains more than trace levels of mercury after July 2006. Mercury is a neurotoxin and known to cause brain damage in fetuses and young children. Contains an exception to allow mercury vaccines to be used in the event of a public health emergency, bio-terrorist threat, or supply shortage.

AB 2962 – Homeowner insurance loss protection. In the case of a homeowner experiencing a total loss, this bill requires insurers to adjust premiums or coverage to reflect the changed exposure to risk upon a renewal of a policy. It prohibits insurers from canceling a policy during the course of rebuilding. In the event of a state or federally declared disaster area, insurers would be required to offer, at least once, to renew the policy of homeowners that have experienced a total loss.

AB 3016 – Social Security Numbers. This bill deletes an exception in existing law that allows a person or business to use a consumer's social security number (SSN) as an identification or account number when the SSN has been in continuous use since July of 2002. This bill becomes effective on July 1, 2006.

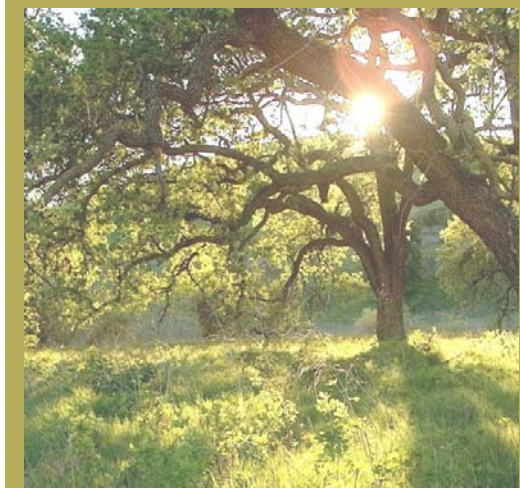
Unfortunately, several of my bills were vetoed by the Governor:

AB 1010 – Electronic textbooks. Would have required publishers to make textbooks available to K-12 schools in an electronic format so educators would have more options to enhance their instructional programs. It would also have lightened the heavy load in children's school backpacks. Publishers would have been required to make electronic versions of textbooks available in a universal format so disabled K-12 students could successfully access all electronic materials on their computer equipment.

AB 2713 – Attorney whistleblower protection. Would have allowed government attorneys to report improper governmental activity without risking loss of their jobs and State Bar licenses. Whistleblower protections for state employees have been on the books for over two decades, but still do not apply to government attorneys who choose to come forward. This bill would have protected the public's right to know when their government officials engage in egregious misconduct.

AB 2917 – Signature Gatherers. Would have increased the misdemeanor sentence for people who intentionally make false statements or misrepresentations in the gathering of signatures on initiative, recall, or referendum petitions, including enhanced penalties for subsequent convictions. Too often, paid signature gatherers simply say whatever it takes to mislead voters into signing their petitions.

Santa Monica Mountains Conservancy Honored



Warmest congratulations to everyone at the Santa Monica Mountains Conservancy which has just been honored by the California Chapter of the American Planning Association with its **Distinguished Leadership** 2004 Award of Excellence for Agency of the Year. Calling the Conservancy “a very effective organization,” the jurors recognized the Conservancy’s “longstanding contribution and sustained presence to the preservation of 55,000 acres of open space parkland which are accessible to millions.”

This is an extraordinarily well-deserved award. It has been a real pleasure for me to have worked with the Conservancy on so many projects over the years, and especially on the successful acquisition of Ahmanson Ranch last year, and now the prospect of acquiring Soka University in the heart of the Santa Monica Mountains.

“Granny Flats” Bill Vetoed by the Governor

Although there is an undisputed need for affordable housing in California, I did not support AB 2702, which was a bill by Assemblymember Steinberg this year. This bill would have removed virtually all local control over the construction of second unit housing (“granny flats”). In his veto message, the Governor said that “this bill, in effect, dictates unilateral decisions by the state regarding what type of development is appropriate for local communities without any community participation.” The bill language also left unanswered the question of whether or not it might actually override homeowner association CC&Rs that do not allow second units. This bill was of great concern to virtually every city in my district and to homeowner and neighborhood groups. We need to continue the discussion on ways to increase affordable housing, but cutting the public and discussion of community character out of the process was not the answer.

Prescription Drug Bill Package Also Vetoed

It was disappointing when a packet of legislation, including one of my bills, designed to lower prescription drug costs was vetoed by the Governor. Unfortunately, the only winners from this action are the drug companies, who successfully protected their “bottom line,” including against Canadian competition.

AB 1957 (Frommer) would have established a state website where consumers could compare prices between American and Canadian pharmacies. Canadian drug prices can be 40 to 75% lower.

AB 1958 (Frommer) would have set up a state drug purchasing pool for state employees, state programs, the uninsured, and small employers to negotiate with drug companies for bulk discount savings.

AB 1960 (Pavley) would have helped employers negotiate for better benefits contracts by increasing the pricing disclosure they receive from middlemen known as pharmacy benefits managers (PBMs). It also increased the information doctors receive from PBMs to ensure that drug selection was based on what is medically necessary for the patient and not what’s in the financial best interest of the PBM and drug company.

SB 1144 (Burton) would have permitted the Department of General Services (DGS) to enter into prescription drug contracts with Canadian sources and require DGS contracts to meet safety standards.

SB 1149 (Ortiz) would have required the Board of Pharmacy to distribute information identifying Canadian pharmacies that meet recognized standards for safe acquisition, shipment, handling and dispensing. Also to collect and post information on foreign suppliers that have violated the standards.

SB 1333 (Perata) would have allowed the state to reimburse pharmacies for prescription drugs purchased from Canadian pharmacies and dispensed to Medi-Cal or the AIDS Drug Assistance Program.

Historic Reyes Adobe Grand Opening

On Saturday, October 16, Agoura Hills celebrated the Grand Opening of their historic Reyes Adobe restoration. The City has done a dazzling job of bringing the adobe and barn back to life as a living history display of the Rancho period in California's history.

This is one of the first projects that I undertook while on the Agoura Hills City Council in the 1980s. Unfortunately, the work was all lost in the 1994 earthquake. I was able to obtain a significant grant for the city from the Santa Monica Mountains Conservancy a couple of years ago, and the final result is simply wonderful. For information on hours when you can visit the Adobe, call (818) 597-7361.



Another Scam Alert

The California Bankers Association wants to alert you to one of the latest scams being perpetrated by e-mail. Known as "phish"ing, here's how it typically works. You get an e-mail from what looks like a legitimate financial institution, asking for you to confirm all of your account and identifying information. The information that you send back is used by criminals to access credit and bank accounts, or to commit ID theft.

The following tips from the American Bankers Assn. should help protect your personal information:

- **Never** give out personal financial information in response to an unsolicited e-mail. Banks do not send out such requests, in spite of the fact that many of these e-mails say it is "mandatory." It is not. **Always** contact your bank or the company before responding.
- Check your credit card and bank statements regularly for unauthorized transactions, even small ones. Some thieves hope that the small ones will go unnoticed. Report them immediately.
- When you do submit financial information to a website, look for the padlock or key icon at the bottom of your browser, and make sure the Internet address begins with "https," which signals that your information is secure during transmission.
- If you have responded to an e-mail, contact your bank immediately so they can take action to protect your account and your identity.

Flu Vaccine Shortage Limits Access

The State Department of Health Services has issued an "Order to Control Influenza Vaccinations" which limits health care providers to "high risk" patients only. This category is primarily children between 6-23 months; the elderly; the chronically ill; and other vulnerable populations. L.A. County has cancelled all of its clinics due to lack of vaccine. Ventura County will hold just one day of clinics on **November 1 from 8:30 a.m. to noon.**

There will be two locations in Oxnard:

Oxnard Public Health Center, Centerpoint Mall
2500 South C Street, Suite D (805) 385-8652

North Oxnard Public Health Center
2240 E. Gonzales Road, Suite 140 (805) 981-5221

Expect very long lines and long waits. If you are found not to be high risk, you will be turned away. They do expect to run out.

In general, use basic precautions to avoid the flu: avoid contact with sick individuals; wash your hands frequently; and stay generally healthy by eating well, getting enough sleep, etc. If you think you have the flu, stay home and avoid exposing others.

Feds Pass Anti-Film-Piracy Act

Protecting the film and entertainment industry means protecting a huge piece of California's economy. People who choose to record films in movie theaters will now be subject to Federal prosecution and up to six years in prison under the Piracy Deterrence and Education Act passed by the House of Representatives at the end of September. About 10 states already prohibit people from taping in theaters, but this new bill would make it a felony. The bill also includes provisions that will make it easier for the Justice Department to prosecute Internet users who illegally distribute copyrighted files.

Around the District ...

Port Hueneme – Bard Elementary School

I was delighted to attend the opening of Bard's wonderful computer and math lab for primary students. They had a very special ceremony with over 800 children, plus singing and dancing. The lab was named to honor teacher Sue Measures, who retired after 32 years with the district.

Ventura County School Board Association Dinner

It was an honor to address the VCSBA membership last month and to update them on some of the actions by the state that have impacts on education. I particularly appreciated the Q&A that followed, which gave me valuable feedback on what's happening at the local level and what school boards need to best serve their students.

Halaco/Ormond Beach Meeting

Thanks to Ventura County Supervisor Kathy Long for hosting a small meeting of involved agencies, including the District Attorney, earlier this month. It included a briefing and discussion of various strategies and options regarding what might need to be done to deal with identified and possible contamination from Halaco Engineering now that Halaco has announced their intention to close and move.

Tarzana – Executive's Club Breakfast

Although I was unable to attend, Jenny Toder from my district staff attended what sounded like a very interesting breakfast meeting. I am a member of this wonderful support group for the Jewish Home for the Aging, and was sorry to have missed keynote speaker, Daily News columnist Dennis McCarthy.

Hidden Hills Parade

Again this year I joined the residents of Hidden Hills for their annual fiesta parade. I rode in an immaculate convertible owned by Timothy Lippman from my district staff. The beautiful streets of Hidden Hills were lined with families, and the parade included horses and wonderful antique cars. Always an enjoyable day.

Malibu Pie Festival

This was something out of my normal legislative activities. Sponsored by the Malibu United Methodist Church, funds raised sponsor after-school groups for children and youth. I was one of the judges in a pie eating contest, which meant judging who ate an entire pie, with no utensils, the fastest. Great fun, and for a very good cause.



Photo Courtesy of the City of Hidden Hills

Agoura Hills/Oak Park

Another annual event I try never to miss is the annual Chamber recognition of L.A. and Ventura County Sheriff Deputies. October 14, I again was honored to be able to present Certificates of Recognition from the State Assembly to the Deputy honorees. These are the individuals who serve County residents with such courage, courtesy and distinction. It's always important to me to take these opportunities to thank them personally.

Air Quality Management District Award

Thank you to the Southern California AQMD, who presented me with their "Leadership in Government" Award at their annual Clean Air Awards luncheon on October 13. It was awarded to recognize my efforts to help clean up our air, including with my bills requiring foreign trucks entering California to comply with U.S. emissions standards, to allow hybrid or alternative fuel cars that achieve 45 mpg to use carpool lanes, and for co-authoring with Assemblymember Firebaugh a bill to help generate new funding for diesel emissions cleanup. They also recognized my landmark global warming bill that will begin to reduce tailpipe emissions from cars and light-duty truck beginning with the model year 2009.

Los Angeles RWQCB Dinner

There was a huge turnout at this annual event to honor those who made a difference this past year on water quality issues. It was fitting that our eloquent CalEPA Secretary, Terry Tamminen, gave the keynote address. Palisadian Fran Diamond is Chair of the Regional Water Quality Control Board and coordinated the awards presentation to a variety of individuals, public agencies and private companies. I was thrilled to see Heal the Bay's **Leslie Mintz** receive the "Public Education In Water Quality" award for her continuing work to implement AB 1548, my environmental education bill signed into law last year.

Fellow **Assemblymember Cindy Montanez** received the "Water Quality Excellence" award. And among the other honorees, I was particularly impressed by **Pacoima Beautiful**, a group of involved teens who are leading the way in cleaning up their environment and educating the community about watersheds. They received the "Water Quality Educator" award.

CSU Admissions Deadline

Any student interested in enrolling at a California State University campus is being strongly advised to apply **no later than November 30, 2004**, and ASAP if it is an impacted campus, meaning more applicants than can be accepted. Students are encouraged to apply online at www.csumentor.edu. For help in applying electronically, call (800) 468-6927.

Sen. John Vasconcellos "Farewell Legacy Tour"

State Senator Vasconcellos is leaving the legislature after 34 years in office. He leaves a long legacy, including work on education. If you would like to thank the Senator for his service, you are invited to a reception at the Sagebrush Cantina in Calabasas, 23527 Calabasas Road on **Monday, October 25, from 5:30 to 7:30 p.m.** This is not a fundraiser or political event. Just the Senator hoping to meet you. Admission free. No-host bar.

November 2 is Election Day

If you have any question about where you vote, Los Angeles and Ventura Counties both have that information on-line:

- **L.A. County residents** – Go to www.lavote.net and click on "Where do I vote?"
- **Ventura County residents** -- Go to www.ventura.org/election/PPLACE/POLLPLAC.HTM, and select your zip code.

For more general election information, you can go to the Secretary of State's website at www.ss.ca.gov/elections/elections.htm.

Assemblymember Pavley's Committee Assignments

Appropriations Committee
Arts, Entertainment, Sports, Tourism, and Internet Media Committee
Budget Committee
Education Committee
Transportation Committee
Water, Parks and Wildlife Committee
Select Committee on California Ports
Select Committee on Coastal Protection
Select Committee on the Future of California's Health
Select Committee on National Defense, Technology and Jobs
Select Committee on Sustainability
Select Committee on Title IX
Chair, Select Committee on Air and Water Quality
Chair, Select Committee on Hydrogen and Other Alternative Fuels
Chair, Budget Subcommittee #3 on Resources
Legislative Advisory Committee – Wildlife Conservation Board
Legislative Advisory Committee – California Coastal Conservancy
Santa Monica Mountains Conservancy Board

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If you know of anyone who you think would like to receive these newsletters, please e-mail their name, mailing address and e-mail address, and I'll be happy to add them to my list.

